Supreme Court, U. S.
FILED
MAY 28 1976
MICHAEL RODAK, JR., CLERK

IN THE

# Supreme Court of the United States

OCTOBER TERM, 1975

---

No. 75-1648

---

DEERING MILLIKEN RESEARCH CORPORATION, *Petitioner,*

v.

BEAUNIT CORPORATION, *Respondent.*

---

## REPLY TO RESPONDENT'S LETTER IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI

---

DAVIDSON C. MILLER
*Attorney for Petitioner*

*Of Counsel:*

ROGER W. PARKHURST
STEVENS, DAVIS, MILLER & MOSHER
1911 Jefferson Davis Highway
Arlington, Virginia 22202

PRESS OF BYRON S. ADAMS PRINTING, INC., WASHINGTON, D. C.

IN THE

# Supreme Court of the United States

OCTOBER TERM, 1975

---

No. 75-1648

---

DEERING MILLIKEN RESEARCH CORPORATION, *Petitioner,*

v.

BEAUNIT CORPORATION, *Respondent.*

---

## REPLY TO RESPONDENT'S LETTER IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI

---

On May 25, 1976, Respondent, Beaunit Corporation, wrote an unprinted letter to the Clerk of this Court expressly waiving its right to file a brief in opposition to the Petition herein. Since that letter also contains argument, Petitioner files this Reply.*

Respondent totally erroneously says the Petition does not raise an issue pursuant to Rule 19 of this Court, such as a conflict between circuits or failure to apply applicable decisions of this Court.

---

* Respondent's letter, insofar as it argues in opposition, does not comply with the provisions of Rules 24, 39, or 40 of this Court.

The Petition, pages 13-18, expressly demonstrates that the Court of Appeals:

1. Ignored the express language of the applicable statutes.
2. Ignored applicable decisions of this Court.
3. Ruled in direct conflict with settled rulings of coordinate Courts of Appeals.

The Petition also expressly demonstrates how the lower Court's failure to properly apply the applicable statutes and decisions of this Court led to an erroneous result.

While Petitioner recognizes that this Court is very busy and profoundly concerned with many cases, Petitioner is confident that this Court is aware that no question is more important than the uniform and proper administration of justice by our Federal Courts. The lower Court in this case clearly departed from that uniform and proper administration of justice, now necessitating exercise of this Court's power of supervision.

The Petition should be granted to correct those errors.

Respectfully submitted,

DAVIDSON C. MILLER
*Attorney for Petitioner*

*Of Counsel:*

ROGER W. PARKHURST
STEVENS, DAVIS, MILLER & MOSHER
1911 Jefferson Davis Highway
Arlington, Virginia 22202

May 28, 1976